

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
April 4, 2016**

**CALL TO ORDER**

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on April 4, 2016.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance.

**ROLL CALL**

The following members were present: Mayor Martin; Councilmembers Johnson, Quigley, Springhorn and Wickstrom.

**APPROVAL OF AGENDA**

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to approve the April 4, 2016 agenda as submitted.

VOTE: Ayes - 5 Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

There were none.

**CITIZEN COMMENTS**

There were none.

**COUNCIL COMMENTS**

**Mayor Martin:**

Noted the recycling booklet distributed by Ramsey County. She emphasized that plastic bags cannot go in the recycling bin because they damage recycling machinery. She recommended residents keep the booklet for reference.

Construction season has begun. Lexington Avenue in the I-694 area is very congested at peak hours. Everyone is encouraged to find other routes to use. The reconstruction of Victoria will be delayed a year in order to provide an alternative north/south route. Also, westbound lanes are being added at County Road E and Lexington.

**Councilmember Quigley:**

The Shoreview Einhausen Sister City Association will hold its annual meeting April 16, 2016, at Gasthaus. It is always a great event.

**Councilmember Wickstrom:**

The Shoreview Northern Lights Variety Band will hold their spring concert on Saturday, April 23, 2016, at 7:00 p.m., at Benson Great Hall. The theme this year is National Parks. Tickets are \$10 in advance or \$15 at the door. Tickets can be purchased online at [snlvb.com](http://snlvb.com).

On Wednesday, April 20, 2016, the Environmental Quality Committee will hold its final speaker series on “Shoreview’s State of the Waters.” The program is at 7:00 p.m. in the Council Chambers. The program will also be online and on Cable TV.

**Councilmember Springhorn:**

The Shoreview Historical Society is sponsoring a program at the Community Center entitled “John Dillinger Slept Here,” on Sunday, April 17, 2016, as part of the Historical Society’s 25th year celebration.

On May 4, 2016, Northeast Youth and Family Services will celebrate its Leadership Lunch and 40th Anniversary.

Mayor Martin added that the speaker at the luncheon will be Elizabeth Kneebone from the Brookings Institute. She has co-authored the book, *Confronting Poverty in the Suburbs*. The event is free and everyone is encouraged to attend.

**CONSENT AGENDA**

Item No. 2 was pulled for separate consideration.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Quigley to adopt the Consent Agenda for April 4, 2016, as presented and all relevant resolutions for items Nos. 1, and 3 through 11:

1. March 14, 2016 City Council Workshop Meeting Minutes
3. Receipt of Committee/Commission Minutes:
  - Bike and Trails Committee, February 4, 2016
  - Bike and Trails Committee, March 3, 2016
  - Environmental Quality Committee, March 28, 2016
4. Verified Claims in the Amount of \$1,115,294.82
5. Purchases
6. License Applications
7. Site and Building Plan Review - Dairy Queen, 4615 Hodgson Road
8. Approval of AT&T Extension and Lease Approvals
9. Accept Bid and Authorize Construction - I-694 Watermain Relocation, CP 15-10
10. Approve Plans and Specifications, Order Improvement and Order Taking of Bids - Gramsie Road Rehabilitation, CP 16-05

**11. Approval of a Master Subscriber Agreement for Minnesota Court Data Services**

**VOTE:**                      Ayes - 5                      Nays - 0

**MOTION:**      by Councilmember Wickstrom, seconded by Councilmember Quigley to approve the March 21, 2016 City Council Meeting Minutes, as submitted.

**VOTE:**                      Ayes - 3                      Nays - 0                      Abstain - 2 (Johnson, Springhorn)

Councilmembers Johnson and Springhorn abstained because they were absent from the March 21st meeting.

**PUBLIC HEARINGS**

There were none.

**GENERAL BUSINESS****TEXT AMENDMENT - ACCESSORY STRUCTURE****Presentation by Asst. City Manager/Community Development Director Tom Simonson**

Text amendments are proposed to Section 205 of the Development Code. The purpose of the amendments is to allow more flexibility to property owners regarding size of accessory structures. The changes would allow accessory structure size to be based on the parcel size. These amendments are a result of the increase in applications for Conditional Use Permits for larger accessory structures.

The proposed ordinance establishes area and setback regulations based on a tiered system. Accessory structures must remain subordinate to the principal structure on the property and cannot negatively impact adjoining properties.

The amendments include a clarified definition of an accessory structure versus an accessory building. The term “structure” shall replace the term “building,” in the following regulations regarding size and setback requirements: Section 202 - Definitions; Section 205.001; and Section 205.002 - Residential Districts.

Under current Code, an accessory structure is allowed to be 150 square feet in size but can be increased to 288 square feet with a Conditional Use Permit. The total of all accessory structures cannot exceed 90% of the dwelling unit foundation area or 1,200 square feet, whichever is less. A Conditional Use Permit is required to exceed accessory structure limits. There is no cap for the maximum area of accessory structures.

The proposed changes include increasing the maximum permitted for all tiers to 200 square feet. A size larger than 200 square feet is allowed with a Conditional Use Permit for parcels of 1/2

acre or larger. A cap on the size of an accessory structure would be set for all tiers. The proposed ordinance changes for four tiers are as follows:

**Regulations for properties less than 1/2 acre:**

The changes allow a detached accessory structure when there is no attached accessory or an attached accessory structure that is less than 2-car size would be up to 200 square feet or up to 288 square feet with a Conditional Use Permit. Nothing over 288 square feet would be allowed.

**Changes for properties of 1/2 acre to under 1 acre:**

- A detached accessory structure, where there is no attached accessory structure or less than a 2-car attached accessory structure, could be 1000 square feet or 80% of the dwelling unit foundation area, whichever is the more restrictive.
- When there is a 2-car attached garage, a detached accessory structure can be up to 288 square feet outright. Up to 440 square feet could be allowed with a Conditional Use Permit.

**Changes for properties of 1 acre to less than 2 acres:**

- When there is less than a 2-car attached accessory structure, a detached accessory can be built up to 1000 square feet or 80% of the dwelling unit, whichever is more restrictive.
- If there is a 2-car attached accessory structure, a detached accessory structure of up to 440 square feet. A larger accessory structure is possible with a Conditional Use Permit. However, the total accessory structure area cannot exceed 1500 square feet or 100% of the dwelling unit foundation area.

**Changes for properties of 2 acres or more:**

- A detached accessory structure, where there is no attached accessory structure or less than a 2-car attached accessory structure, could be 1000 square feet or 80% of the dwelling unit foundation area, whichever is more restrictive.
- If there is a 2-car attached accessory structure, a detached accessory structure of up to 440 square feet. A Conditional Use Permit is required for larger than 440 square feet. The cap for the combined attached and detached accessory structure square footage is 125% of the dwelling unit foundation area.

Notice of the public hearing was published in the City's legal newspaper. No comments from the public were received. The Planning Commission held a public hearing on February 23, 2016. The Commission added one change that states, "greater setbacks may be required to mitigate impacts to adjoining parcels." The Planning Commission and staff recommend Council approval of the proposed amendments.

Mayor Martin asked for clarification on when additional setbacks would be applied. Mr. Simonson explained that in the Conditional Use Permit process, if landscaping for a larger accessory structure is insufficient, additional setbacks can be required to mitigate any impact to adjoining properties.

Councilmember Quigley asked how lake lots are treated. Mr. Simonson answered that they are treated the same, but the method for determining lot area is limited to the Ordinary High Water

Mark (OHM). The size of an accessory structure is then based on lot area as with other properties. Property owned out into the water is not taken into account.

Planning Commissioner Kent Peterson stated that the Planning Commission met with the Council a year ago to discuss accessory structures. At that time, the Council was satisfied with the Code. The Planning Commission created the tiers to allow flexibility. A square footage cap for accessory structures is established for each tier. There were no caps in the previous Code.

Mayor Martin asked what would happen if a larger lot were subdivided. She would not favor grandfathering in a large accessory structure that is then on a smaller lot. Mr. Simonson stated that the accessory structure would be considered a legal non-conforming structure because it is already built. The City would have no recourse regarding its removal, unless the property were part of a subdivision in which case the City could require certain conditions for development.

City Attorney Beck stated this concern could be addressed in the Conditional Use Permit process with a stipulation that an accessory structure based on the size lot must be removed if the lot is subdivided.

Councilmember Wickstrom expressed concern that if there were no Conditional Use Permit with an accessory structure, the City would have no control on removal with a subdivision. She expressed support for the Code amendments but requested that applications be carefully reviewed for possible future problems. Mr. Schwerm noted that these regulations are stricter than what is in place because a cap is set for each tier.

Mayor Martin noted that the regulations would not be retroactive.

Councilmember Johnson commended the Planning Commission and staff for the amount of time and energy put into this issue. These regulations will help redevelopment in the future.

MOTION: by Councilmember Johnson, seconded by Councilmember Springhorn to adopt Ordinance No. 942, revising Chapter 200 of the Municipal Code Sections 202, 205.081 and 205.082, regarding accessory buildings and structures, and to authorize publication of an Ordinance Summary.

This approval is based on the following finding of fact:

1. The proposed text changes clarify accessory structure versus building in the definition section, as well as introduce a tiered system for accessory structure based on parcel size. The changes address concerns related to the health, safety, and general welfare of the resident(s) and public safety staff.

ROLL CALL: Ayes: Johnson, Quigley, Springhorn, Wickstrom, Martin  
Nays: None

**APPROVAL OF NEW VOTING PRECINCTS**

City Manager Schwerm reported that the City has been informed that St. Odilia Church can no longer be used as a polling location. The best option is to combine Precincts 1N (St. Odilia) and 2 (Shepherd of the Hills) to use the polling place at Shepherd of the Hills Church, which is one of the larger polling sites and has easy access. In that regard Precincts 1N and 2 would be combined to form Precinct 2; Precinct 1S would become Precinct 1. Ramsey County will send post cards of notification to residents; the City will also send out a letter.

Councilmember Wickstrom explained that Precinct 1 is smaller than the other precincts because it is in the Roseville School District. The reason there was a Precinct 1N and 1S (north and south) is because prior statutes required precincts to be bounded by streets. That is no longer required. This proposal is a good solution.

Councilmember Springhorn stated that he will support the proposal but noted that there is a lot of low income housing close to St. Odilia. Those people will now have to cross I-694 to vote. He would like turnout in that precinct to be monitored to be sure the greater distance to the polling place is not deterring people from voting.

Councilmember Johnson suggested posting a sign for the first election cycle to make sure people are clear about where their precinct is located.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Springhorn to approve Resolution No. 16-25 revising city election precincts.

ROLL CALL: Ayes: Quigley, Springhorn, Wickstrom, Johnson, Martin  
Nays: None

**APPOINTMENTS TO PARKS AND RECREATION COMMISSION**

City Manager Schwerm reported two resignations from the Parks and Recreation Commission because the Commissioners moved out of Shoreview. The Parks and Recreation Commission has reviewed the applications from Jean Kiehnbaum and Matthew Cisneros and recommends their appointment.

MOTION: by Councilmember Wickstrom, seconded by Councilmember Springhorn to appoint Jean Kiehnbaum and Matthew Cisneros to the Parks and Recreation Commission for terms ending January 31, 2019.

ROLL CALL: Ayes: Springhorn, Wickstrom, Johnson, Quigley, Martin  
Nays: None

**ADJOURNMENT**

MOTION: by Councilmember Johnson, seconded by Councilmember Quigley to adjourn the meeting at 7:40 p.m.

VOTE: Ayes - 3 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE 18<sup>th</sup> DAY OF APRIL, 2016.

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Terry Schwerm  
Assistant City Manager